



PRESIDENTIAL
ADVISORY COMMISSION
ON HOLOCAUST ASSETS
IN THE UNITED STATES

PRESIDENTIAL ADVISORY COMMISSION ON HOLOCAUST ASSETS IN THE UNITED STATES

Edgar M. Bronfman
Chairman

Kenneth L. Klothen
Executive Director

July 30, 1999

James Billington
Librarian of Congress
1st Street and Independence Avenue, S.E.
Washington, D.C. 20540

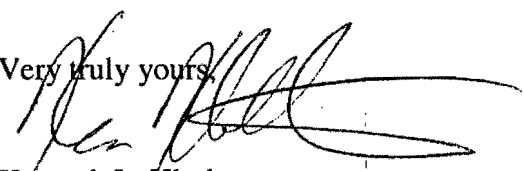
Dear Dr. Billington:

In advance of our meeting next Tuesday at 3:00 p.m., I am enclosing some background materials on the Presidential Advisory Commission.

My deputy, Gene Sofer and I would like to brief you on the research our Art and Cultural Property team has done with respect to the Library of Congress European Mission from 1943 to 1947, and to discuss further steps that the Library might take in conjunction with the Commission.

We look forward to seeing you next Tuesday.

Very truly yours,


Kenneth L. Klothen
Executive Director



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IN THE UNITED STATES

PRESIDENTIAL ADVISORY COMMISSION ON HOLOCAUST ASSETS IN THE UNITED STATES

Edgar M. Bronfman
Chairman

Kenneth L. Klothen
Executive Director

September 14, 1999

Dr. James Billington
Librarian of Congress
The Library of Congress
First and Independence Streets, S.E.
Washington, D.C. 20540

Dear Dr. Billington:

As promised in our meeting with you and your staff of several weeks ago, I am enclosing a copy of Robert Waite's summary paper prepared for the Department of Justice, Office of Special Investigations concerning the origin of books from the Offenbach Depot that appear to have come into the possession of the Library of Congress.

Dr. Waite's paper indicates that between March 1946 and April 1949 some 20,329 volumes from the Offenbach Depot went to the Library of Congress. Research by two other investigators – a staff member of this Commission's research team and Astrid Eckert, a German graduate student – appears to verify this claim. Although the different researchers come up with slightly different totals (our staff member believes that the correct total is 19,316; we are attempting to contact Ms. Eckert to get her estimate of the number), there is a consensus that approximately 20,000 volumes whose original owners could not be identified were sent from Offenbach to the Library of Congress between March and September 1946. In addition, there is some indication that Jewish Cultural Reconstruction, Inc., the entity subsequently charged with the distribution of unidentifiable books, deposited an unknown additional number of such volumes with the Library in 1949.

Based on our own review of the archival sources and on our discussions with your staff, there is no catalog or other summary list that would indicate which of the books in the Library's collection came from Offenbach and thus are likely to have come originally from victims of the Holocaust. We surmise that the vast majority of these books would have ended up in the Library's Hebraica collection, and we understand that it is accepted that there are volumes in that collection that bear the Offenbach stamp. Short of individual examination of each volume in that collection, we are not aware of another means of identifying with specificity the actual books

likely to have originally belonged to Holocaust victims.

I want to emphasize that none of our research suggests that the Library of Congress Mission to Europe acted in anything other than good faith based on the best available information at the time with respect to books that may have originally belonged to owners who perished in the Holocaust. Indeed, we recognize the dedicated attempts that were made pursuant to Luther Evans' directives to assure that any material that could be restituted was returned to its original owner.

Rather the issue seems to be how to appropriately acknowledge the fact that, despite the scrupulousness of the efforts of the past, books looted from victims of Nazi genocide reside in a federal institution.

I do not think that there is necessarily any single best answer to this question, and therefore would like to suggest that the Library and the Presidential Advisory Commission on Holocaust Assets in the United States convene a joint committee to address this issue. Our Commission meets on October 14, and that meeting would be an appropriate time for the Commissioners to choose their representatives to such a committee. Please let me have your thoughts on this concept.

Thank you again for meeting with us to discuss this matter. We appreciate your willingness to address this issue in a just and timely way.

Sincerely,



Kenneth L. Klothen
Executive Director

enclosure

cc: Michael Gruneberger
Elizabeth Pugh
Eli Rosenbaum (without enclosure)

THE HANDLING OF LOOTED BOOKS IN THE AMERICAN
OCCUPATION ZONE, 1944-51

Summary of a Report Prepared by the
Office of Special Investigations, U.S. Department of Justice

Robert G. Waite, Ph.D.

The record of the United States in dealing with the unresolved issues of World War II has not always been worthy of praise. During the past 20 years, the U.S. Justice Department's Office of Special Investigations has had occasion to examine some of the lingering questions about U.S. wartime and postwar actions in connection with the Holocaust. For example, OSI has uncovered and disclosed publicly extensive information regarding the postwar employment by the U.S. intelligence and other agencies of former Nazi officials and criminals as informants and agents.

Last year, it was OSI's research that established conclusively that victim-origin gold and jewelry were transferred to Switzerland by the Third Reich and that victim-origin gold was knowingly transferred by US occupation authorities to the Tripartite Gold Commission.

At a December 1996 meeting of the Interagency Working Group on Nazi Assets, a suspicion was voiced that the Library of Congress had misappropriated some books that had been looted by the Nazis during the war and subsequently seized by U.S. forces.

I investigated this matter for OSI and the following is a summary of the findings, which are based on archival records located at the National Archive and the Library of Congress.

By early 1946, approximately three million books, a fraction of the total number looted by the Nazis from the Jewish communities of Europe, were captured by American forces and brought together at the Offenbach Archival Depot. To support the enormous undertaking of restituting these volumes, personnel with technical expertise were assigned to Offenbach Depot, including a member of the Library of Congress Mission.

In the summer of 1945 the Library of Congress had sent a Mission to Europe and established procedures for handling the printed materials, including the looted books, captured by American forces. In addition to its other tasks, which included the purchase of books and the removal of Nazi-period records under the mandate of U.S. occupation government, the Library of Congress inescapably became involved with the issue of looted books.

Interest in the question of restituting books which the Nazis stole from Europe's Jews grew quickly. In April 1946 Librarian of Congress Luther Evans addressed this issue. He noted that he had discussed the matter with U.S. officials and the Library of Congress Mission and warned:

Among materials reaching the Library of Congress from continental Europe (especially Germany) there may occur instances of books bearing marks which indicate they belong to libraries or other institutions of recognized standing. Such books are to be segregated and called to the attention of the Chief, Exchange and Gift

Division.

The same was true of books stolen from individuals--they were to be restituted.

Books from the holdings of the Offenbach Depot were in fact transferred to the Library of Congress Mission, which had agreed in advance to compensate "any possible claimants," and to return such books to their rightful owners. The Library of Congress Mission and officials of the Offenbach Archival Depot certified that the transfers:

do(es) not include material confiscated by the NSDAP from countries other than Germany which would be subject to normal restitution procedures.

The records of the transfers from the Offenbach Depot to the Library of Congress Mission from March 1946 to April 1949, during which 20,329 volumes went to the Library of Congress, demonstrate that the responsible officials took great care to screen out restitutable material.

By the summer of 1946 the officials of the Offenbach Archival Depot recognized that approximately 500,000 volumes in their possession were "heirless," that they could not be restituted under the operative procedures. The question of what to do with them became a topic of intense discussion within the U.S. military government and other interested parties.

A method of disposing of these volumes was proposed in late 1945 by the Commission on European Jewish Cultural Reconstruction, an organization founded in New York City by "American Jewish religious leaders, scholars and educators." It

recommended that heirless books and cultural items be distributed to centers of Jewish life and learning in the United States and Palestine. Some officials in the U.S. Military Government and the Offenbach Depot asked that the Library of Congress participate, but Librarian of Congress, Luther Evans declined, not wanting to commit the resources needed to catalog and distribute the 500,000 volumes.

In February 1949 the New York City based Jewish Cultural Reconstruction Inc. signed an agreement to take over and distribute the heirless books. Its directors, who included Koppel Pinson and Hannah Arendt, committed themselves to "make every effort to locate the former owner or his heirs," and any library to which it distributed books had to oblige itself to return "any books identified by a claimant."

By 1951, the efforts to find the owners of Jewish books looted by the Nazis was largely concluded. The Offenbach Archival Depot processed more than three million items, returning most to the countries from which they had been stolen, including eastern Europe (but not the Baltic states), before it concluded its operations in April 1949. The 500,000 unrequitable books went to the Jewish Cultural Reconstruction organization which distributed them to more than 30 libraries in the United States and Israel, including Yeshiva University, Hebrew Union College, YIVO, the New York Public Library, Hebrew University Library, and Columbia, Harvard, Johns Hopkins, and Yale.

That the Offenbach Archival Depot restituted to the country

of origin more than two million volumes in three years is striking. During these years, the Library of Congress received from the Offenbach Depot 23,329 books, and its Mission in Europe took great care not to transfer to its collections books that could be restituted.

During the course of my research, I found no documentation in the National Archive or the Library of Congress that suggested or stated that the representatives of the Library of Congress had acted inappropriately in obtaining books that should have been restituted or given other appropriate disposition. The research did show that in the case of books, cultural materials looted by the Nazis and captured by Allied forces could be and in fact were restituted efficiently and in an expeditious manner.

To: Edgar M. Bronfman, Chair
From: Kenneth Klothen, Executive Director
Re: Looted Jewish Books in the Library of Congress – Status of Discussions with the Library
Date: October 7, 1999

As you know, we have followed up on research originally conducted by the Office of Special Investigations (OSI) at the Department of Justice, which indicated that between 1946 and 1949 books, including those looted from Jews, were taken into the Library of Congress collections from the Offenbach Depot, the repository in occupied Germany for books seized from Nazi sources. Our independent investigations led us to conclude that the original OSI work was accurate.

Having reached that conclusion, we requested a meeting with Dr. James Billington, the Librarian of Congress. At that meeting, held late in August and attended by Dr. Billington, the Associate Librarian for Library Services, the Head of the Hebraic Section, and the Library's General Counsel, the Library's staff expressed skepticism about our conclusions, and opined that their view of OSI's work was that it did not conclude that looted books were in the Library's collection. They asked us to supply them with additional details regarding the basis and nature of our conclusions.

On September 14, we sent Dr. Billington the enclosed letter. In the letter, we suggested that a joint committee of senior staff of the Library and members of this Commission be named to address the issue, determine the relevant facts and arrive at an appropriate resolution.

To date, we have had no response to our September 14 letter. We have, however, continued to refine our understanding of the relevant facts as they are available to us, and have spoken to the Director of OSI and met with its chief historian. **This further review leads us to the conclusion that, although the absolute number of such books may be small, it is extremely unlikely that the Library's collection does not contain some books originally looted by the Nazis from Holocaust victims.**

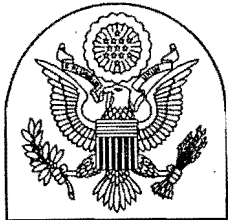
We also believe that the Library is best situated to add to the current state of our knowledge. For example, we do not know what documentation the Library has of its accessions during the years 1946-1949. We do not know how easy or difficult it would be to review the Library's sub-collections, such as the Hebraic collection, to determine whether books contain evidence of having come from Offenbach and how many there are. We do not have a clear idea whether and how a cross-match of the Library's

collection with existing lists or data bases of known looted books might be accomplished.

In short, we continue to believe that the best approach to this issue is a joint examination conducted by the Commission and the Library. Unfortunately, the Library seems unwilling to undertake such an effort.

Thus, I am prepared to discuss with you prior to the Commission's October 14 meeting how to bring this matter before the Commission and what further steps to suggest.

I look forward to discussing this matter with you further at our pre-meeting briefing.



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September 14, 1999

Dr. James Billington
Librarian of Congress
The Library of Congress
First and Independence Streets, S.E.
Washington, D.C. 20540

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likely to have originally belonged to Holocaust victims.

I want to emphasize that none of our research suggests that the Library of Congress Mission to Europe acted in anything other than good faith based on the best available information at the time with respect to books that may have originally belonged to owners who perished in the Holocaust. Indeed, we recognize the dedicated attempts that were made pursuant to Luther Evans' directives to assure that any material that could be restituted was returned to its original owner.

Rather the issue seems to be how to appropriately acknowledge the fact that, despite the scrupulousness of the efforts of the past, books looted from victims of Nazi genocide reside in a federal institution.

I do not think that there is necessarily any single best answer to this question, and therefore would like to suggest that the Library and the Presidential Advisory Commission on Holocaust Assets in the United States convene a joint committee to address this issue. Our Commission meets on October 14, and that meeting would be an appropriate time for the Commissioners to choose their representatives to such a committee. Please let me have your thoughts on this concept.

Thank you again for meeting with us to discuss this matter. We appreciate your willingness to address this issue in a just and timely way.

Sincerely,



Kenneth L. Klothen
Executive Director

enclosure

cc: Michael Gruneberger
Elizabeth Pugh
Eli Rosenbaum (without enclosure)

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PRESIDENTIAL
ADVISORY COMMISSION
ON HOLOCAUST ASSETS
IN THE UNITED STATES

PRESIDENTIAL ADVISORY COMMISSION ON HOLOCAUST ASSETS IN THE UNITED STATES

Edgar M. Bronfman
Chairman

Kenneth L. Klothen
Executive Director

FAX COVERSHEET

THIS IS A TRANSMITTAL OF 5 PAGES INCLUDING THIS SHEET.
PLEASE CALL IF INCOMPLETE.

To: Edgar Bronfman
212 572 1087

From: Kenneth Klothen

MEMO:



PRESIDENTIAL
ADVISORY COMMISSION
ON HOLOCAUST ASSETS
IN THE UNITED STATES

PRESIDENTIAL ADVISORY COMMISSION ON HOLOCAUST ASSETS IN THE UNITED STATES

Edgar M. Bronfman
Chairman

Kenneth L. Klothen
Executive Director

To: Presidential Advisory Commission on Holocaust Assets in the United States

From: Kenneth Klothen, Executive Director

Re: Discussions with Library of Congress Regarding Looted Books in its Collection

Date: October 12, 1999

Commission staff have followed up on research originally conducted by Dr. Robert Waite of the Office of Special Investigations (OSI) at the Department of Justice, which indicated that between 1946 and 1949 books, including those looted from Jews, were taken into the Library of Congress collections from the Offenbach Depot, the repository in occupied Germany for books seized from Nazi sources. Our independent investigations led us to conclude that the original OSI work was accurate.

Having reached that conclusion, we requested a meeting with Dr. James Billington, the Librarian of Congress. At that meeting, held late in August and attended by Dr. Billington, the Associate Librarian for Library Services, the Head of the Hebraic Section, and the Library's General Counsel, the Library's staff expressed skepticism about our conclusions, and opined that their view of OSI's work was that it did not conclude that the Library's collection included looted books. Dr. Billington asked us to supply him with additional details regarding the basis and nature of our conclusions.

On September 14, we sent Dr. Billington a letter, in which we summarized our staff's pertinent research findings and suggested that a joint committee of senior staff of the Library and members of this Commission be named to address the issue, determine the relevant facts and arrive at an appropriate resolution.

Between September 14 and now, we continued to investigate this matter and held several discussions with staff at OSI regarding the evidence. As a result of these further efforts, we have come to believe that it is more difficult to prove that a significant number of the books from the so-called Rosenberg Collection that came into the possession of the Library of Congress were originally looted. **We have also concluded that the evidence is overwhelming that a significant percentage of the books that came into the Library's collection in 1949 from the Jewish Cultural Reconstruction Organization**

were originally looted from Holocaust victims. These refinements in our thinking were shared with the Library's staff.

On October 8, we received Dr. Billington's reply. In a letter delivered to our offices, Dr. Billington disputed our view of the OSI conclusions, citing language from the OSI report that confirmed the Library's primary interest in obtaining Nazi literature from Offenbach, and emphasized the finding that the books from the JCRO were non-restitutable. Dr. Billington declined our suggestion to form a joint committee to review the facts and determine appropriate actions.

In the Commission staff's view, Dr. Billington's letter fails to understand that the policies in place at the time these books were acquired assured only that restitutable books did not pass into the Library's collection. Non-restitutable books that had originally been looted could and did come into the Library's possession precisely through the good faith application of these appropriate policies. In suggesting that the issue is how many such books came into the Library, what they are and what acknowledgement should be made of this fact, the Commission staff is not implying that the Library has done anything wrong.

Ultimately, the Library is in the best position to determine what the facts are – by reviewing its own records. For example, we do not know what documentation the Library has of its accessions during the years 1946-1949. We do not know how easy or difficult it would be to review the Library's sub-collections, such as the Hebraic collection, to determine whether books contain evidence of having come from Offenbach and how many there are. We do not have a clear idea whether and how a cross-match of the Library's collection with existing lists or data bases of known looted books might be accomplished.

In a recent telephone conversation, the Library's General Counsel has indicated a willingness to "continue to discuss" this matter. We doubt whether much more in the way of staff-to-staff discussions will be fruitful, and remain convinced that it is appropriate for the Library to agree publicly to pursue, together with the Commission, the relevant facts pertaining to the provenance of all the Offenbach books in its collection. It is also appropriate, in our view, for the Library to consider – also in conjunction with the Commission – what if any recognition of these facts is appropriate.

Unfortunately, the Library seems unwilling to undertake the kind of transparent, high level effort the Commission's staff recommends.



**PRESIDENTIAL
ADVISORY COMMISSION
ON HOLOCAUST ASSETS
IN THE UNITED STATES**

Edgar M. Bronfman
Chairman

PRESIDENTIAL ADVISORY COMMISSION ON HOLOCAUST ASSETS IN THE UNITED STATES

Kenneth L. Klothen
Executive Director

FAX COVERSHEET

**THIS IS A TRANSMITTAL OF THREE (3) PAGES INCLUDING THIS
SHEET. PLEASE CALL IF INCOMPLETE.**

**To: Members of the Presidential Advisory
Commission on Holocaust Assets in the United
States:**

Hon. Edgar M. Bronfman
Hon. Barbara Boxer
Hon. Christopher Dodd
Hon. Stuart Eizenstat
Hon. Ben Gilman
Hon. Patrick Henry
Hon. Roman R. Kent

Hon. Rick Lazio
Hon. Ira H. Leesfield
Hon. Miles Lerman
Hon. James Maloney
Hon. Jehuda Reinharz
Hon. Margaret Milner Richardson
Hon. James Robinson

Hon. Patricia Scott Schroeder
Hon. Brad Sherman
Hon. William S. Singer
Hon. Gordon Smith
Hon. Arlen Specter
Hon. Cecil Williams
Hon. Neal Wolin

**From: Kenneth L. Klothen
Executive Director
Voice: (202) 371-6400, x440
Fax: (202) 371-5678**

**Message: The following memo updates you on the status
of our conversations with the Library of
Congress.**

**Please note that this matter is on the agenda
for discussion at our meeting on Thursday.**

 *** MULTI TX/RX REPORT ***

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BARBARA BOXER
 EDGAR BRONFMAN
 BRONFMAN-WJC
 CHRISTOPHER DODD
 STUART EIZENSTAT
 EIZENSTAT-TREASU
 PATRICK HENRY
 ROMAN KENT
 RICK LAZIO
 IRA LEESFIELD
 MILES LERMAN
 MILES LERMAN-MUS
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 JEHUDA REINHARZ
 Margaret M Richa
 JAMES ROBINSON
 PAT SCHROEDER
 BRAD SHERMAN
 WILLIAM SINGER
 GORDON SMITH
 ARLEN SPECTER
 CECIL WILLIAMS
 NEAL WOLIN
 Benjamin Gilman
 Alex Sternhell -
 Deborah Bodlande

ERROR



PRESIDENTIAL
 ADVISORY COMMISSION
 ON HOLOCAUST ASSETS
 IN THE UNITED STATES

Edgar M. Bronfman
 Chairman

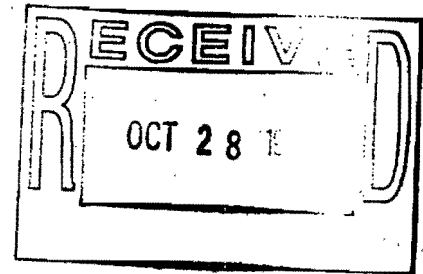
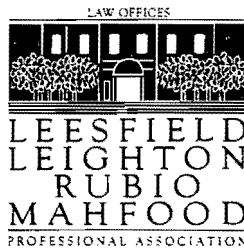
PRESIDENTIAL ADVISORY COMMISSION ON HOLOCAUST ASSETS IN THE UNITED STATES

FAX COVERSHEET

Kenneth L. Klothen
 Executive Director

THIS IS A TRANSMITTAL OF **THREE (3)** PAGES INCLUDING THIS
 SHEET. PLEASE CALL IF INCOMPLETE.

To: **Members of the Presidential Advisory
 Commission on Holocaust Assets in the United
 States:**



October 26, 1999

Mr. Kenneth L. Klothen
Executive Director
Presidential Advisory Commission on
Holocaust Assets in the United States
901 15th Street, NW
Washington, DC 20005

IRA H. LEESFIELD
Board Certified Civil Trial Lawyer

JOHN ELLIOTT LEIGHTON
Board Certified Civil Trial Lawyer

MARIA L. RUBIO

GEORGE G. MAHFOOD
Also Admitted in Pennsylvania

ROBERT B. BOYERS
*Also Admitted in:
New York and Connecticut*

PATRICIA M. KENNEDY

MARK A. SYLVESTER

THOMAS SCOLARO

Dear Ken:

This letter follows up our very interesting meetings last on October 14, 1999. First, however, I must ask that when you speak to Chairman Bronfman that you wish him a full and rapid recovery. I hope he is feeling better and healing quickly.

Now, back to the meeting. Although the Gold Train report certainly captured the interest and attention of everyone, I was particularly perplexed by the non-closure of the Library of Congress issue. In brief, it does not appear that we are getting the full story, or perhaps we are just not getting full cooperation.

There is no debate that the looted books are in possession of the Library of Congress. The exact number of books is recorded. However, we are told that no inventory, title or subject matter is available. It does not make sense that these books are not somehow catalogued or registered. It is more difficult to believe that they are "commingled" with twenty-five million other volumes and cannot be identified or located.

I am interested to know the nature and subject matter of these books. If they are religious in nature, every effort should be made to restitute and restore these books back to the congregations, synagogues and communities from which they came. Parts of the European Jewish community are struggling for identity and resurgence. Having books and pieces of their history restored should be a high priority of our commission.

I would very much appreciate receiving the full OSI report so I may follow up further on some very important questions.

Reply to Miami Office only:
2350 South Dixie Highway
Miami, Florida 33133
305/854-4900
Fax: 305/854-8266
E-mail: Leesfield@aol.com
Internet: www.LLRM.com

Key West Office:
615 1/2 Whitehead Street
Key West, Florida 33040
800/836-6400

Mr. Kenneth L. Klothen
October 26, 1999

Page 2

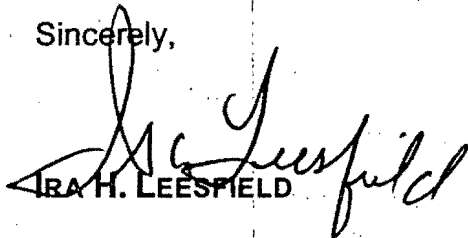
I know from speaking to a number of other commissioners that they were not satisfied with the responses we received from the Library of Congress Representatives. I would like to delve further into this matter and request whatever documentation is available.

I know we can get the cooperation of the Administration and Congress on this issue. Representatives Lazio and Gilman were in attendance during this discussion and were enthusiastic about our follow up.

Otherwise, I did want to mention a consensus of the Commission that our meetings be lengthened to allow full and complete discussion and inquiry into the important leads we are following. I would suggest at least 3 hours for the entire commission to meet, followed by our sub-committee meetings.

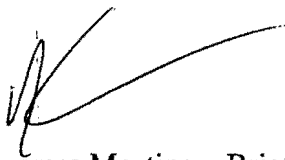
Thank you for all of your help and attention in these matters. I look forward to speaking with you very shortly.

Sincerely,


IRA H. LEESFIELD

IHL/rah

cc: Holocaust Advisory Committee Members

To: Ira Leesfield
From: Ken Klothen 
Re: Library of Congress Meeting – Briefing Materials
Date: 5 November 1999

Enclosed are self-explanatory materials on the issue of looted books in the Library of Congress.

Please note that the list of books sent to the Library from Offenbach via the JCRO in 1949, prepared at the time by Col. Seymour Pomrenze, shows that among the approximately 5,000 books received from the JCRO were a number of "rare books." This is inconsistent with what the Library has told us, and it would seem that at least they should be able to review their rare Hebraic book collection for these materials.

In addition, Pomrenze told us orally that he doubts that the materials shipped to the Library from the so-called ERR, which was the collection of the Nazi's "Institute for the Study of the Jewish Question," can be presumed not to have been looted. We are looking at the records of the Nuremberg trials relating to this Institute to see what evidence they contain. This issue implicates the approximately 20,000 books shipped directly to the Library by the Library of Congress Mission prior to 1949.

I look forward to your participation in this meeting. Thank you for re-arranging your schedule to attend.

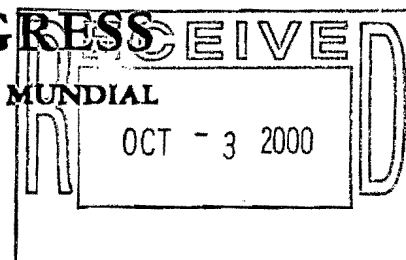
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ידישער וועלט־קאנגרעס

הקונגרס היהודי העולמי

WORLD JEWISH CONGRESS

CONGRES JUIF MONDIAL • CONGRESO JUDIO MUNDIAL

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LIBRARY OF CONGRESS
BICENTENNIAL
1800-2000

STATEMENT OF THE LIBRARY OF CONGRESS ON HOLOCAUST ASSETS

The Library of Congress is cooperating fully with the Presidential Advisory Commission on Holocaust Assets in the United States, and we will continue to do so.

From 1945 to 1947, the Library of Congress (LC Mission to Europe), working closely with military officials in the American Zone of Occupation in Germany, acquired from Nazi organizations and research institutes large numbers of books and other materials that were subject to confiscation by the military government. Based on information provided to date to the Library by the Presidential Advisory Commission – as well as on a draft report received in the Library on September 22, 1999, by Dr. Robert Waite of the Justice Department about the activities of the LC Mission – there is nothing in the historical record to suggest that the Library's Mission to Europe improperly acquired any books or other materials from victims of the Holocaust.

According to Dr. Waite's report: "The cables, letters, memoranda produced by the Mission and by Luther Evans, the Librarian of Congress [at that time], reveal the care with which his organization approached the matter of looted books and Jewish cultural items seized by the Nazis. In particular, Evans stated repeatedly that the Library of Congress would not accept any such books The Library of Congress mission was more interested in obtaining materials generated by the Nazis, materials that were not to be left in Germany on orders of the occupation government and which [would] otherwise be destroyed [emphasis ours]."

Between 1949 and 1952, Jewish Cultural Reconstruction, Inc. (JCR), a New York-based umbrella organization, distributed approximately 500,000 books that had belonged to Jewish victims of the Holocaust but which could not be restituted. Dr. Waite characterizes these books as follows in his recent report: "The disposition of the books that could not be restituted, the heirless or unidentifiable materials, came after long negotiations and serious thought by the responsible authorities and interested civilian institutions." The books were given to libraries in Israel, the United States, Western Europe, and Latin America.

In the United States, first priority for the receipt of these materials was given to Jewish libraries and institutions; non-Jewish libraries like the Library of Congress were in the last priority category. In the first category, for example, according to JCR records, the Jewish Theological Seminary in New York received 13,320 books; Brandeis University received 11,288 books; and Hebrew Union College in Cincinnati received 9,820. The Library of Congress received 5,708 books; while Columbia University, Harvard University, New York Public Library and New York University all received between 2,100 and 2,500 volumes from the JCR. The acquisition of JCR books by the Library of Congress was announced in the Library's *Quarterly Journal of Current Acquisitions* (February, 1951).

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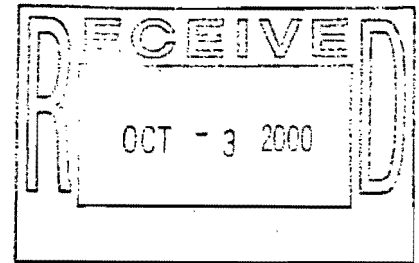
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LIBRARY OF CONGRESS
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September 29, 2000

Dear Chairman Bronfman:

As you know, over the last year we have worked closely and cooperatively with the Presidential Advisory Commission on Holocaust Assets in the United States, to identify the books, periodicals, and newspapers that were acquired by the Library through the agency of the Jewish Cultural Reconstruction (JCR), as well as through other sources in the immediate aftermath of the Holocaust. I am writing to update you on our progress and our plans.

We are pleased that our collective efforts over the last year and public testimony have confirmed what the Library believed at the outset - that the United States acquisition of unrestitutable Holocaust era books was proper and consistent with the procedures established by the United States Government.

Working diligently, staff of both the Library and Commission located sufficient information to enable the Commission to undertake a sampling of the Library's Hebraic collections. During July, we accorded a team of samplers from the Commission unprecedented and total access to the Hebraic stacks, in compliance with the Library's collections security procedures. Using a sampling method designed by Professor Arthur Kirsch of George Washington University, the team physically examined more than 25,000 Hebraic volumes.

We agree that the JCR collection should be handled in a manner suited to its special provenance. To further the goal of identifying, recognizing, and providing special access to this unique collection, we will establish a "virtual library" of the titles of JCR and related books, which the public will be able to search on-line as well as to examine the volumes in-person in the Library's African and Middle Eastern Reading Room. The Library will also give priority to cataloging any of the books identified as belonging to this collection that have not been fully cataloged; and as we identify additional titles belonging to this collection, we will add a bibliographical note to each cataloging record to describe its special provenance.

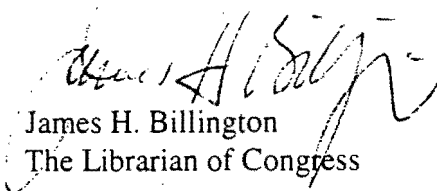
In addition, we are developing a collection "name" field, which will serve to aggregate all the records for the JCR collection within the virtual library. This step will enable users to click on a single "icon" or link that will lead them to every title in this special collection. The Library will also make this list of titles available to agencies, organizations, and individuals involved in the restitution of Holocaust-era assets. We expect to complete these preliminary steps shortly, at which point, we will create a test file with prototype records to

perform a technical assessment. We also will track and monitor the level of effort, costs and time estimates necessary to complete the entire collection.

The Library also plans to include selected volumes from this collection in a major permanent exhibition of the Library's international treasures, which is slated to open next February in the historic and newly-restored Thomas Jefferson Building. The captions used in this section of the exhibition will note the unique history of the volumes displayed. In addition, we will mount a display of JCR books in our African and Middle Eastern Reading Room in 2002 to mark the 50th anniversary of the completion of JCR's work in 1952.

We look forward to continuing to work with the Commission to educate the public about this important and historic collection. If you have any questions or suggestions, please do not hesitate to contact me at 202-707-5205, or our General Counsel, Elizabeth Pugh, at 202-707-2257.

Sincerely,



James H. Billington
The Librarian of Congress

Mr. Edgar Bronfman
Chairman, Presidential Advisory Commission
on Holocaust Assets in the United States
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